

REQUEST

FOR

CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/722,367
Filing Date	November 28, 2000
First Named Inventor	Drebin
Group Art Unit	2671
Examiner Name	Nguyen, Kimbinh T.
Attorney Docket Number	723-968

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

a. ☐ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered)

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

iii. ☐ Other _____

b. ☒ Enclosed

i. ☐ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☒ Information Disclosure Statement (IDS)

iv. ☐ Other _____

02/03/2005 HBEYENE1 00000001 141140 09722367

01 FC:1801 790.00 DA

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 35 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(f) required)

b. ☐ Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. ☐ Applicant claims "small entity" status.

b. ☒ Fees are attached as calculated below:

i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)

ii. ☐ Petition is made to extend the due date _____ months (less _____ months previously paid) \$

iii. ☐ Other _____ \$

c. ☒ Check in the amount of \$770.00 _____ enclosed

d. ☐ Payment by credit card (Form PTO-2038 enclosed)

e. ☒ The Director is hereby authorized to charge any deficiency in the fee(s) filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm), to Deposit Account No. 14-1140

The PTO did not receive the following listed item(s): \$770.00 check

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print Type)	Robert W. Faris	Registration No. (Attorney/Agent)	31,352
Signature	<i>RWF</i>	Date	July 7, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print Type)	
Signature	
Date	

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Adjustment Date: 05/09/2005 SDIRETA1
02/03/2005 HBEYENE1 00000001 141140 09722367
01 FC:1801 790.00 CR

857632

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of
DREBIN et al

Serial No. 09/722,367

Filed: November 28, 2000

For: RECIRCULATING SHADE TREE BLENDER FOR A
GRAPHICS SYSTEM



Atty. Ref.: 723-968

TC/A.U.: 2671

Examiner: Nguyen, Kimbinh T.

* * * * *

March 16, 2005

Mail Stop 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR REFUND

Applicant requests a refund of \$790.00 for a 2/3/05 charge to Deposit Account 14-1140, code 1801(Request for Continued Examination).

On 7/7/04 applicant filed a Request for Continued Examination and paid the \$770 fee. See the attached copy of the filing along with a copy of the canceled check. On 2/3/05, a \$790 charge was made to Deposit Account 14-1140 in response to a 2/1/05 Status Inquiry (see attached). This \$790 charge was made in error. Therefore please credit our account 14-1140 for the erroneously charged \$790 under order number 723-968. For this purpose a duplicate copy of this paper is enclosed.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____

A handwritten signature in dark ink, appearing to read "R. Faris", written over a horizontal line.

Robert W. Faris
Reg. No. 31,352

RWF:ej
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

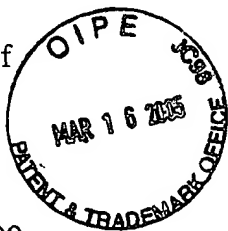
In re Patent Application of

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For: RECIRCULATING SHADE TREE BLENDER FOR A GRAPHICS
SYSTEM



Atty. Ref.: 723-968

TC/A.U.: 2671

Examiner: Nguyen, Kimbinh T.

* * * * *

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

February 1, 2005

Sir:

STATUS INQUIRY

Applicants filed a Request for Continued Examination and Information Disclosure Statement on July 7, 2004 (see attached with postcard receipt). However, the PTO PAIR system (printout attached) has no indication of the RCE filing. As of this date, applicant has not received any further communication from the Patent Office regarding this case. Inquiry is made as to when an Action will be forthcoming.

Respectfully submitted,

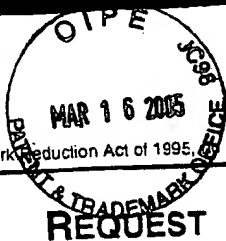
NIXON & VANDERHYE P.C.

By: _____

Robert W. Faris
Reg. No. 31,352

RWF:ejs
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100

Mail Stop RCE



Under the paperwork reduction Act of 1995, persons are required to respond to a collection of information unless it displays a valid OMB control number.

Modified PTO/SB/30 (08-00)
Approved for use through 10/31/2002, OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE



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Attorney Docket Number	723-968

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 - i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered)
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- a. ☐ Applicant claims "small entity" status.
- b. ☒ Fees are attached as calculated below:
 - i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) \$ 770.00
 - ii. ☐ Petition is made to extend the due date _____ months (less _____ months previously paid) \$ _____
 - iii. ☐ Other _____ enclosed
- c. ☒ Check in the amount of \$770.00
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- e. ☒ The Director is hereby authorized to charge any deficiency in the fee(s) filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm), to Deposit Account No. 14-1140

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print Type)	Robert W. Faris	Registration No. (Attorney/Agent)	31,352
Signature	<i>Robert W. Faris</i>	Date	July 7, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of
DREBIN et al

Serial No. 09/722,367

Filed: November 28, 2000

For: RECIRCULATING SHADE TREE BLENDER FOR A GRAPHICS
SYSTEM

Atty. Ref.: 723-968

TC/A.U.: 2671

Examiner: Nguyen, Kimbinh T.

* * * * *

July 7, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

In accordance with Rule 97, the undersigned attorney submits the documents listed on the attached form PTO-1449. One of these documents (Heidrich et al) was cited against the EP counterpart to related commonly assigned co-pending application Serial No. 09/722,382 (attorney docket 723-961) (see pages 6-7 of 5/16/03 Information Disclosure Statement). A copy of the EP search report is also attached. Other listed items have been cited in 09/722,382, which application is subject to an Office Action mailed 5/14/2004, but have not yet been made of record in this case. Still other listed items have just now been uncovered.

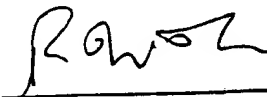
Applicants request the Examiner to initial the attached form PTO-1449 and return a copy to indicate that the attached documents have been considered and made of record in this case.

Since this case has been allowed, applicants are concurrently filing a Request For Continued Examination to permit consideration of these items.

DREBIN et al
Serial No. 09/722,367

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 

Robert W. Faris
Reg. No. 31,352

RWF:ej
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100



Serial No
Applicant
Title:

Serial No.: 09/722,367
Inventor/s: DREBIN et al

C#/M#: 723-968
Atty: Robert W. Faris
Date: July 7, 2004

Title: RECIRCULATING SHADE TREE BLENDER FOR A
GRAPHICS SYSTEM



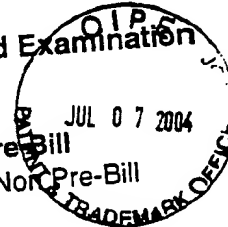
**Request for Continued Examination
(RCE)**

\$ Fee (Check) - Pre-Bill
\$770.00 Fee (Check) - Non-Pre-Bill

\$770.00 Total Fee Enclosed

Other:

**Other: Information Disclosure Statement
w/ PTO 1449 and a copy of each listed
document**





86087

NIXON & VANDERHYE, P.C.
PTO ACCOUNT
1100 N. GLEBE ROAD, 8TH FLOOR
ARLINGTON, VA 22201-4714

68-426-514

DATE 7/1/04

PAY
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723-968				

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